

# **EXHIBIT F**

**From:** Cross, David D.  
**Sent:** Thursday, July 21, 2022 11:06 PM  
**To:** Bryan Tyson; Josh Belinfante  
**Cc:** Kaiser, Mary; Vincent Russo; Adam M. Sparks; Conaway, Jenna B.; ram@lawram.com; Ascarrunz, Veronica; Halsey G. Knapp, Jr.; Daniella P. Stucchi; Diane LaRoss; Loree Anne Paradise; Bryan Jacoutot; Carey Miller; Alexander Denton; cheryl.ringer@fultoncountyga.gov; kaye.burwell@fultoncountyga.gov; david.lowman@fultoncountyga.gov; Jene.Gipson@fultoncountyga.gov; Javier Pico-Prats; Rashmi Ahuja; Russ Abney; Bruce Brown; Middleton, Caroline L.  
**Subject:** RE: Curling v. Raffensperger - 30(b)(6) topic

Bryan -

Thanks for the response today. As with our last meet and confer, I think it would be better to get on a call together as soon as possible rather than exchange more correspondence. You've misunderstood the intent behind my email, and unfortunately I could have saved you the trouble of an 18-page letter with a brief call. My apologies if my email wasn't clear. In short, we're not looking to expand discovery beyond what I articulated as our position on the last call or in our July 14 filing. We provided a long list of discovery requests simply because we understood the directive from the Court to require that list, ie the requests we've previously served that encompass the discovery we're currently seeking regarding unauthorized access to Georgia's election system per our July 14 filing. Those requests necessarily encompass additional discovery in some respects, but we're not seeking all documents and information responsive to each of those requests at this stage; rather we included those that capture at least some portion of what we identified with the Court as outstanding.

I'm pretty flexible for a call tomorrow after about 1030 am (after I pick up my girls from camp in NC). I'll be on the road to Charleston. Please provide your availability so we can find a time that works for the necessary folks on both sides and see if we can resolve this quickly with a conversation.

Best,  
DC

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**From:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>  
**Date:** Thursday, Jul 21, 2022, 11:53 AM  
**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>  
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**Subject:** RE: Curling v. Raffensperger - 30(b)(6) topic

**External Email**

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David,

Attached is a letter responding to the discovery requests identified in this email.

Thanks,

Bryan



**Bryan P. Tyson**

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**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Sent:** Tuesday, July 19, 2022 10:37 AM

**To:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>

**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; ram@lawram.com; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; cheryl.ringer@fultoncountyga.gov; kaye.burwell@fultoncountyga.gov; david.lowman@fultoncountyga.gov; Jene.Gipson@fultoncountyga.gov; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Middleton, Caroline L. <[CMiddleton@mofo.com](mailto:CMiddleton@mofo.com)>

**Subject:** RE: Curling v. Raffensperger - 30(b)(6) topic

Dear Josh, Vincent, Cheryl, and David:

During Friday's teleconference, the Court directed Plaintiffs to identify pending discovery requests that encompass the categories of information sought in section 4 of Curling Plaintiffs' July 14 filing regarding open discovery items (Dkt. 1421). We note that there is no requirement that we ask for discovery in a formal written request; the Federal Rules do not require that and parties commonly request discovery as new events develop or information comes to light, such as during depositions, hearings, or meet-and-confers. The Court appeared to acknowledge this on Friday and asked that we identify pending discovery requests simply to "make[] it a lot easier for the Court" to resolve any remaining dispute

regarding the discovery we're still seeking in section 4 of our July 14 filing. (July 15 Hearing Tr. at 27-28.) We believe *at least* the requests below readily encompass that discovery.

We also want to be clear that the discovery we're owed is not limited to the alleged breach in Coffee County. Defendants are obligated to produce responsive discovery regarding *any* breach (actual, potential, suspected, alleged) of Georgia's voting system, regardless of where that occurred. For example, there is evidence suggesting that there may have been a breach involving Fulton County that led to the disclosure of a copy of Dominion software used in Fulton County for elections. So *all* Defendants—including Fulton County—are obligated to produce responsive information. This of course also includes the SEB members, as they possess investigative authority for election security issues for Georgia.

Please let us know by noon ET on Thursday, July 21, whether you will produce the discovery indicated as outstanding in our July 14 filing, and if so, when. This includes access for our experts to the EMS server and ICC (and any other equipment/devices/data) that the state took possession of from Coffee County after the alleged breach there in 2021. We reserve the right to seek access for our experts to any additional voting system equipment, devices, or data Defendants also have possession of and that was subject to actual, potential, suspected, or alleged access not authorized by Georgia law. Defendants are obligated to specifically and immediately identify any and all such equipment, devices, and data per the discovery requests below.

We'd also appreciate you getting back to us by noon ET on Thursday regarding the other outstanding discovery items addressed in Plaintiffs' July 14 filings, including: (i) whether the SEB members will produce documents responsive *at least* to each of the discovery requests we identified below and in my prior letter, and if so, when; (ii) when the SEB members are available for depositions in Atlanta; and (iii) whether the SOS will agree to the proposed 30b6 topic below, and if so, when its witness(es) is/are available for deposition in Atlanta. Given the timing the Court expects for outstanding discovery to be completed, we need to resolve any remaining disputes ASAP and complete the discovery the Court has ordered. We also need to know when the SOS will produce the investigative documents it had agreed to produce last week. We understood from Friday's teleconference that you ran into some sort of technical issue with the production. Please let us know today when that is coming and will be completed.

Best,  
DC

## REQUESTS FOR PRODUCTION OF DOCUMENTS TO STATE DEFENDANTS

### Curling Plaintiffs' First Requests for Production of Documents to State Defendants, dated June 3, 2019

1. All documents related to any actual, potential, anticipated, suspected, contemplated, or alleged Security Breach or Security Vulnerability, including but not limited to (i) all documents relating to any investigation, report, examination, study, audit, evaluation, or assessment conducted by You or a third party on Your behalf or at your direction regarding any such Security Breach or Security Vulnerability; and (ii) all communications related to any such Security Breach or Security Vulnerability.

Source: Curling Pls.' 1<sup>st</sup> Reqs. For Prod. of Docs. to State Defs. 1.

8. All documents constituting, reflecting, or related to any communication with, inquiry from, or investigation by the Department of Homeland Security (DHS), the United States Election Assistance Commission, the FBI, the GBI, or other government branch, agency, department, or committee related to the security, reliability, or accessibility of any aspect of the Election System.

Source: Curling Pls.' 1<sup>st</sup> Reqs. For Prod. of Docs. to State Defs. 8.

29. All documents relating to any physical security assessments in any Georgia counties by DHS or any other government agency related to the security or reliability of any aspect of the Election System (*see* <https://www.npr.org/2018/08/12/637163104/election-security-becomes-a-politicalissue->

in-georgia-governors-race).

Source: Curling Pls.' 1<sup>st</sup> Reqs. For Prod. of Docs. to State Defs. 29.

**Curling Plaintiffs' Second Requests for Production of Documents to State Defendants, dated Nov. 11, 2020**

42. All documents related to any actual or potential security vulnerabilities or intrusions with respect to Georgia's Election System, including but not limited to any assessment of the security of Georgia's Election System.

Source: Curling Pls.' 2nd Reqs. For Prod. of Docs. to State Defs. 42.

44. All documents related to any actual or potential concerns regarding the reliability of Georgia's Election System, including but not limited to any assessment of the reliability of Georgia's Election System.

Source: Curling Pls.' 2nd Reqs. For Prod. of Docs. to State Defs. 44.

**Curling Plaintiffs' Third Requests for Production of Documents to State Defendants, dated July 9, 2021**

54. Documents reflecting any issues or challenges affecting the reliability, including without limitation the security, completeness, and accuracy, of Electronic Pollbooks in Georgia 2020 and 2021 election, including without limitation any communications regarding any such issues or challenges.

Source: Curling Pls.' 3rd Reqs. For Prod. of Docs. to State Defs. 54.

56. All communications with Dominion, Pro V&V, Fortalice, or any other third party with any role or responsibility for securing any component of the Election System including without limitation evaluating the security of any such component.

Source: Curling Pls.' 3rd Reqs. For Prod. of Docs. to State Defs. 56.

**Curling Plaintiffs' Fourth Requests for Production of Documents to State Defendants, dated July 28, 2021**

59. Documents, including communications, regarding any measures taken to investigate, evaluate, remedy, mitigate, or otherwise address each of the vulnerabilities and problems with the election system identified in Dr. Halderman's declarations, reports, and testimony in this case.

Source: Curling Pls.' 4th Reqs. For Prod. of Docs. to State Defs. 59.

**Plaintiffs' Joint Request for Production of Documents and Inspection of Things to State Defendants, dated Aug. 3, 2020**

2. Documents from the Relevant Time Period reflecting all actual, potential, anticipated, suspected, contemplated, or alleged Security Breaches or Security Vulnerabilities including, but not limited, to documents reflecting (i) all investigations, reports, examinations, studies, findings, audits, evaluations, and/or assessments conducted by You or a third party on Your behalf or at Your direction regarding any such Security Breach or Security Vulnerability; and (ii) all actions and/or steps considered, contemplated, discussed, approved, implemented, and/or rejected as potential remediation for any such Security Breach or Security Vulnerability.

Source: Pls.' Joint Req. For Prod. of Docs. and Inspect. of Things to State Defs. 2.

1 (Request for Inspection). Plaintiffs request to have their experts, Dr. Alex Halderman and Harri Hursti (and those working at their direction), forensically examine (i) a reasonable sample, selected by Plaintiffs, of DREs, ballot-marking devices, ballot scanners (both AccuVote and Dominion), election servers (both GEMS and Dominion), and memory cards and/or smart cards used with Dominion election equipment; and (ii) the memory cards from Cobb, DeKalb, and Fulton Counties already provided to Plaintiffs for any Security Breaches or Security Vulnerabilities.

Source: Pls.' Joint Req. for Prod. of Docs. and Inspect. of Things to State Defs., Req. for Inspect. No. 1.

**Plaintiffs' 2nd Joint Request for Production of Documents and Inspection of Things to State Defendants, dated Aug. 6, 2020**

9. Any reports, studies, findings, audits, evaluations, and/or assessments of actual or potential security breaches or vulnerabilities associated with the Election System since August 1, 2019, including but not limited to new, updated, or supplemental reports prepared by Fortalice Solutions or similar consultants (see e.g., October 2017 Fortalice Report, Dkt. No 510-5 (PAYTON000001), November 2018 Fortalice Report, Dkt. No 510-6 (PAYTON000070), February 2018 Fortalice Report, Dkt. No 510-7 (PAYTON000120)).

Source: Pls.' 2<sup>nd</sup> Joint Req. For Prod. of Docs. and Inspect. of Things to State Defs. 9.

14. Forensic examination by Dr. Alex Halderman and Harri Hursti (and those working at their direction) of (i) a reasonable sample, selected by Plaintiffs, of DREs, ballot-marking devices, ballot scanners (both AccuVote and Dominion), state election servers (both GEMS and Dominion), memory cards and/or smart cards used with Dominion election equipment, and pollpads (including any application software needed for the examination); and (ii) the memory cards from Cobb, DeKalb, and Fulton Counties already provided to Plaintiffs for any potential or actual security breaches or security vulnerabilities. The images may be made at facilities of Defendants' choosing and at times that will not interfere with the equipments' use in any elections.

Source: Pls.' 2<sup>nd</sup> Joint Req. for Prod. of Docs. and Inspect. of Things to State Defs. 14.

15. In-person inspection of the State's copies of Polling Place Recap Reports, PollPad Recap Reports for the June 9, 2020 elections, and any related reports concerning the counties' failure to reconcile the number of ballots counted to the number of voters checked in on the PollPads.

Source: Pls.' 2<sup>nd</sup> Joint Req. for Prod. of Docs. and Inspect. of Things to State Defs. 15.

**Plaintiff's 3rd Joint Request for Production of Documents and Inspection of Things to State Defendants, dated Sept. 1, 2020**

18. One of each of the following, including all necessary charging devices, cords, cables, ink, and other material required to use the devices listed below:

- a. Dominion ImageCast X (ICX) Prime 21" BMD;
- b. ImageCast Precinct (ICP) Scanner;
- c. KnowInk Poll Pad electronic pollbook; and
- d. 1 box of ballot paper with a minimum of 100 ballots.

In addition, Plaintiffs request one each of each of the following items, as identified in STATE-DEFENDANTS-00048761:

- a. Programmed Technician Card
- b. Programmed Poll Worker Card
- c. USB Drive containing information from GA ICX BMD programming group
- d. Print out of Ballot Activation Codes
- e. Programmed Compact Flash Cards for Polling Place Scanner
- f. Programmed Security Key Tab for Polling Place Scanner
- g. Election Project User names and Passcodes
- h. Technician Card Passcodes
- i. Technician Card Passcode
- j. Poll Worker Card Passcode
- k. Security Key Tab Passcode
- l. Polling Place Scanner Re-zero Passcode
- m. Poll Pad User name and Passcode
- n. Poll Pad Menu Code

Source: Pls.' 3<sup>rd</sup> Joint Req. for Prod. of Docs. and Inspect. of Things to State Defs. 18.

**Plaintiffs' 4th Joint Request for Production of Documents and Inspection of Things to State Defendants, dated Sept. 27, 2020**

19. One of each of the following, including all necessary underlying software, passcodes, usernames, and any other materials or keys required to access the devices and information listed below:

- a. A copy of the EMS database for all counties prior to the discovery of the database issue referenced in the September 25, 2020, 4:25 p.m. e-mail from Chris Harvey (Dkt. No. 916 at 9);
- b. A copy of ImageCast Central election files for Fulton County, as provisioned from the database in (a);
- c. For a representative polling place in Fulton County, as provisioned from the database in (a):
  1. A USB drive containing information from “GA ICX BMD” programming group
  2. A programmed Compact Flash Card for Polling Place Scanner and “rezero” passcode
  3. A programmed Security Key Tab for Polling Place Scanner and passcode
  4. A programmed Technician Card and passcode
  5. A programmed Poll Worker Card and passcode
  6. A document of Ballot Activation Codes.

Source: Pls.’ 4th Joint Req. for Prod. of Docs. and Inspect. of Things to State Defs. 19.

20. One copy of the Democracy Suite EMS software, version 5.5A(GA), including the following:

- a. A copy of the Democracy Suite EMS software, version 5.5A(GA) installation disk used to provision EMS and ICC systems in Georgia;
- b. Any necessary installation keys or passwords;
- c. ImageCast Central software; and,
- d. Election Event Designer software.

Source: Pls.’ 4th Joint Req. for Prod. of Docs. and Inspect. of Things to State Defs. 20.

21. One hard disk image of a fully-configured EMS.

Source: Pls.’ 4th Joint Req. for Prod. of Docs. and Inspect. of Things to State Defs. 21.

22. One hard disk image of a fully-configured ICC.

Source: Pls.’ 4th Joint Req. for Prod. of Docs. and Inspect. of Things to State Defs. 22.

23. One of each of the following after corrective actions and testing by Dominion Systems, Inc., including all necessary underlying software, passcodes, usernames, and any other materials or keys required to access the devices and information listed below:

- a. A copy of the EMS database for all counties;
- b. A copy of ImageCast Central election files for Fulton County, as provisioned from the database in (a);
- c. For a representative polling place in Fulton County, as provisioned from the database in (a):
  1. A USB drive containing information from “GA ICX BMD” programming group
  2. A programmed Compact Flash Card for Polling Place Scanner and “rezero” passcode
  3. A programmed Security Key Tab for Polling Place Scanner and passcode
  4. A programmed Technician Card and passcode
  5. A programmed Poll Worker Card and passcode
  6. A document of Ballot Activation Codes.

Source: Pls.’ 4th Joint Req. for Prod. of Docs. and Inspect. of Things to State Defs. 23.

**Plaintiffs’ 5th Joint Request for Production of Documents and Inspection of Things to State Defendants, dated Nov. 20, 2020**

30. Documents regarding any concerns, complaints, notes, or reports, including of errors, malfunctions, or vulnerabilities during election operations of the equipment and components examined or otherwise included as part of any SOS Ordered Audit.

Source: Pls.’ 5th Joint Reqs. For Prod. of Docs. to State Defs. 30.



34. All documents, including any reports, studies, findings, audits, evaluations, and/or assessments of actual or potential security breaches or vulnerabilities associated with the Election System as referenced in Your statement, “We have partnered with the Department of Homeland Security, the Georgia Cyber Center, Georgia Tech security experts, and wide range of other election security experts around the state and country so Georgia voters can be confident that their vote is safe and secure.”

Source: Pls.’ 5th Joint Reqs. For Prod. of Docs. to State Defs. 34.

35. All documents that relate to the representations that (a) “Pro V&V found no evidence of the machines being tampered,” and (b) “[a]ccording to the Pro V&V audit, all of the software and firmware on the sampled machines was verified to be the software and firmware certified for use by the Office of the Secretary of State.”

Source: Pls.’ 5th Joint Reqs. For Prod. of Docs. to State Defs. 35.

36. All documents that relate to “the risk-limited audit” referred to in the statement “Coupled with the risk-limiting audit of all paper ballots relying solely on the printed text of the ballots, these steps confirm the assessment of the Cybersecurity and Infrastructure Security Agency that there are no signs of cyberattacks or election hacking.”

Source: Pls.’ 5th Joint Reqs. For Prod. of Docs. to State Defs. 36.

**Coalition Plaintiffs’ Supplemental Requests for Production of Documents to State Defendants (July 16, 2021), dated July 16, 2021**

12. All video surveillance recordings taken in polling places during 2021 in the possession of the Secretary of State’s office.

Source: Coalition Pls.’ Supp. Reqs. For Prod. of Docs. to State Defs. (July 16, 2021) 12.

19. Documents related to third party access to county servers and voting system components after the November 2020 election.

Source: Coalition Pls.’ Supp. Reqs. For Prod. of Docs. to State Defs. (July 16, 2021) 19.

**Coalition Plaintiffs’ email requests to State Defendants regarding Coffee County alleged breach, ECF No. 1360**

- a. Coffee County Election Project Packages for November 2020 and January 2021 elections, dated March 22, 2022, ECF No. 1360-1
- b. Communications from Cathy Latham to Secretary Raffensperger and Gabe Sterling regarding ballot processing problems, dated March 22, 2022 ECF No. 1360-1
- c. Coffee County “documentation from their Election Management System to back up their uploaded results,” sent to SOS office, dated March 24, 2022 ECF 1360-3 at 1

**REQUESTS FOR PRODUCTION OF DOCUMENTS TO FULTON COUNTY DEFENDANTS**

**Curling Plaintiffs’ First Requests for Production of Documents to Fulton County Defendants, dated June 18, 2021.**

2. All documents, including communications, created or modified during the Relevant Time Period relating to complaints, problems, challenges, difficulties, worries, errors, malfunctions, obstacles, Security Breaches, Security Vulnerabilities, or any other comment concerning the implementation or use of equipment, components, servers, or data which are part of Georgia’s Election System.

Source: Curling Pls.’ 1st Reqs. For Prod. of Docs. to Fulton County Defs. 2.

**Plaintiffs’ First Joint Request for Production of Documents to Fulton County Defendants, dated Oct. 8, 2020**



24. A complete image of each of three Dominion ImageCast X (ICX) Prime 21" BMDs fully-configured for use in Georgia elections and that were used in Fulton County's September 29, 2020 Special Election, without alteration since their use in that election. The three BMDs will be selected by Plaintiffs based on physical identification to be conducted at the Election Preparation Center on October 8 or October 9. The imaging must capture all data on each of the BMDs before the current ICX [5.5.10.30](#) Application Software is uninstalled and the new ICX [5.5.10.32](#) Application Software is installed or the BMDs are otherwise configured, reprogrammed or altered in any manner since their use in the September 29, 2020 election.

Source: Pls.' 1st Joint Req. for Prod. of Docs. to Fulton Cty. Defs. 24.

#### **Coalition Plaintiffs Requests for Production of Documents to Fulton County Defendants, dated July 16, 2021**

18. All video recordings in your possession from polling places recorded since January 1, 2020.

Source: Coalition Pls.' Reqs. For Prod. of Docs. to Fulton Cty. Defs. 18.

### **INTERROGATORY REQUESTS TO STATE DEFENDANTS**

#### **Curling Plaintiffs' First Set of Interrogatories to State Defendants, dated June 27, 2019**

2. Describe with specificity each known, attempted, or suspected Security Vulnerability or Security Breach involving any part of the Election System since Georgia adopted and implemented DREs, including describing with specificity any and all types of all information accessed, exposed, lost, altered, modified, manipulated, deleted, taken, copied, or stolen, or otherwise affected as a result of any such Security Vulnerability or Security Breach.

Source: Curling Pls.' 1<sup>st</sup> Set of Interrogs. to State Defs. 2.

4. Describe with specificity all efforts, including each process and procedure, undertaken to assess, evaluate, test, or audit the security and functionality of the Election System, including DREs, Electronic Pollbooks, Optical Scanners, Memory Cards, Voter Access Cards, and GEMS servers, since Georgia adopted and implemented DREs, including the results, conclusions, or findings of any such effort and the identity of each entity or individual involved and their respective roles and responsibilities.

Source: Curling Pls.' 1<sup>st</sup> Set of Interrogs. to State Defs. 4.

5. Describe with specificity each action You took in response to or otherwise prompted by or related to any suspected, attempted, or actual Security Breach of any part of the Election System since Georgia adopted and implemented DREs, including how each such action complied with or did not comply with any applicable policy and what each such policy states or provides.

Source: Curling Pls.' 1<sup>st</sup> Set of Interrogs. to State Defs. 5.

#### **Curling Plaintiffs' Second Set of Interrogatories to State Defendants, dated July 21, 2021**

15. Describe with specificity each successful or attempted instance of unauthorized access to or copying or alteration of data<sup>[1]</sup> on any of the following specific equipment used in any election in Georgia since Georgia adopted Dominion BMDs:

- Dominion BMDs;
- printers used with Dominion BMDs;
- scanners used to scan ballots;
- servers containing election management system (EMS) software for use with any Dominion BMD; and
- servers, laptops, desktop computers, tablets, smartphones, and removable media used to collect, tally, record, transmit, design, or audit voting information.

Source: Curling Pls.' 2nd Set of Interrogs. to State Defs. 15, rev. Cross, D. Email to Vincent Russo. 19 Oct. 2021.

16. Describe with specificity all efforts undertaken to try to secure each of the following specific equipment used in any election in Georgia since Georgia adopted Dominion BMDs against unauthorized access to or copying or alteration of data, including the results, conclusions, or findings of any such efforts and the identity of each entity or individual with responsibility for each such effort:

- Dominion BMDs;
- printers used with Dominion BMDs;
- scanners used to scan ballots;
- servers containing election management system (EMS) software for use with any Dominion BMD; and
- servers, laptops, desktop computers, tablets, smartphones, and removable media used to collect, tally, record, transmit, design, or audit voting information.

Source: Curling Pls.' 2nd Set of Interrogs. to State Defs. 16, rev. Cross, D. Email to Vincent Russo. 19 Oct. 2021.

17. Describe with specificity each action You took in response to or otherwise prompted by or related to any known, attempted, or suspected Security Breach of any part of the Current Election System since Georgia adopted and implemented that system, including how each such action complied with or did not comply with any applicable policy and what each such policy states or provides.

Source: Curling Pls.' 2nd Set of Interrogs. to State Defs. 17.

19. Describe with specificity all efforts undertaken to ensure that any unauthorized access to or copying or alteration of data on any component of Georgia's prior GEMS/DRE election system could not and did not affect any equipment used with any election in Georgia since it adopted Dominion BMDs, including describing the success or failure of any such efforts as well as any connections or other actual or potential exchanges of data between the two election systems (such as the use of the same removable media or other devices with both systems).

Source: Curling Pls.' 2nd Set of Interrogs. to State Defs. 19, rev. Cross, D. Email to Vincent Russo. 19 Oct. 2021.

23. Describe any testing, examination, reexamination, evaluation, study, analysis, investigation, or assessment of the security, integrity, reliability, or accuracy of Georgia's Current Election System or its prior GEMS/DRE election system since each election system was first adopted in Georgia as well as any efforts to obtain, or avoid obtaining, any such testing, examination, reexamination, evaluation, study, analysis, investigation, or assessment.

Source: Curling Pls.' 2nd Set of Interrogs. to State Defs. 23.

24. Describe any complaints that are not currently publicly-known regarding actual or possible unauthorized access to or copying or alteration of data on any equipment used with any election in Georgia since it adopted Dominion BMDs, including when and by whom any such complaints were made and any responses thereto.

Source: Curling Pls.' 2nd Set of Interrogs. to State Defs. 24, rev. Cross, D. Email to Vincent Russo. 19 Oct. 2021.

#### **Curling Plaintiffs' Third Set of Interrogatories to State Defendants, dated July 28, 2021**

27. Identify and describe with specificity all measures taken to investigate, evaluate, remedy, mitigate, or otherwise address each of the Security Vulnerabilities and problems with the Current Election System identified in Dr. J. Alex Halderman's declarations, reports, and testimony in this matter.

Source: Curling Pls.' 3rd Set of Interrogs. to State Defs. 27.

#### **INTERROGATORY REQUESTS TO FULTON COUNTY DEFENDANTS**

##### **Curling Plaintiffs' First Set of Interrogatories to Fulton County Defendants, dated July 16, 2021**

1. Describe with specificity each known, attempted, or suspected Security Vulnerability or Security Breach involving any part of Georgia's Current Election System, including describing with specificity any and all types of information accessed, exposed, lost, altered, modified, manipulated, deleted, taken, copied, or stolen, or otherwise affected as a result of any such Security Vulnerability or Security Breach.

Source: Curling Pls.' 1<sup>st</sup> Set of Interrogs. to Fulton Cty. Defs. 1.

21. Describe with specificity all efforts, including each process and procedure, undertaken by You to assess, evaluate, test, or audit the security of the Current Election System, including the results, conclusions, or findings of any such effort and the identity of each entity or individual involved and their respective roles and responsibilities.

Source: Curling Pls.' 1<sup>st</sup> Set of Interrogs. to Fulton Cty. Defs. 21.

3. Describe with specificity each action You took in response to or otherwise prompted by or related to any known, attempted, or suspected Security Breach of any part of the Current Election System as used in Fulton County since Georgia adopted and implemented that system, including how each such action complied with or did not comply with any applicable policy and what each such policy states or provides.

Source: Curling Pls.' 1<sup>st</sup> Set of Interrogs. to Fulton Cty. Defs. 3.

10. Describe any complaints regarding the security, integrity, reliability, or accuracy of Georgia's Current Election System as used in Fulton County elections in 2019 and 2020 or its prior GEMS/DRE Election System, including when and by whom any such complaints were made and any responses thereto.

Source: Curling Pls.' 1<sup>st</sup> Set of Interrogs. to Fulton Cty. Defs. 10.

## REQUESTS FOR ADMISSION TO STATE DEFENDANTS

**Curling Plaintiffs' First Requests for Admission to State Defendants dated Oct. 29, 2021, ECF No. 1210-1.**

101. Admit that You are aware of attack attempts against election-related computer systems in Georgia.

Source: Curling Pls.' 1<sup>st</sup> Req. for Admis. to State Defs. 101, ECF No. 1210-1.

### DAVID D. CROSS

#### CHAIR OF ANTITRUST LITIGATION PRACTICE

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---

**From:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>

**Sent:** Friday, July 15, 2022 9:45 AM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [ram@lawram.com](mailto:ram@lawram.com); Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov); [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov); [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov); Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[Rahuja@taylorenghish.com](mailto:Rahuja@taylorenghish.com)>; Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Middleton, Caroline L.

<CMiddleton@mofo.com>

**Subject:** Re: Curling v. Raffensperger - 30(b)(6) topic

Thanks. Will take a look after this call.

Sent from my iPhone

On Jul 15, 2022, at 9:43 AM, Cross, David D. <DCross@mofo.com> wrote:

**From External Sender**

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Josh –

We're still conferring on our side re the 30b6 topic, but I'm sending modest suggested edits now to try to move this forward while we discuss here.

All alleged event(s) known to the Secretary of State and alleged to have occurred since January 1, 2020 in which one or more individuals not authorized by Georgia state law obtained **or attempted to obtain** access, to one or more components of Georgia's Current Election System in Coffee County or elsewhere in Georgia For purposes of this topic, "component of Georgia's Current Election System" shall mean the Image Cast X Prime BMD, ImageCast Precinct (ICP) and ImageCast Central (ICC) Scanning Devices, **electronic poll books**, the Democracy Suite Election Management System and related software, and firmware **and hardware** utilized by the foregoing component parts including **removable media**, printers, servers, and computers utilized for tabulating election results.

A few points on this to be sure we're all on the same page. One, by "known to the Secretary of State," we assume you're not modifying the SOS's obligations under Rule 30b6 and the witness(es) will conduct a reasonable investigation to prepare for the deposition and present the knowledge of the SOS on the topic, including by reviewing the documents within the SOS's possession, custody, or control related to the topic and speaking with other employees, agents, consultants, and representatives of the SOS who have knowledge regarding the topic. Two, this topic includes information regarding the replacement of the Coffee County EMS server and ICC including the circumstances related to the alleged password change. Three, since there seems to be some dispute about whether the events in Coffee County and elsewhere were lawfully "authorized," what we mean here is where a person not authorized by State Election Board Rule 183-1-12-.05 (3) accessed or attempted to access the election management system, or attempted to obtain images of internal memories of any components of Georgia's voting system equipment or images of removable media, or non-public election data, or otherwise attempted to violate SEB Rule 183-1-12-05 (3).

Please let us know if this is agreeable. If it would help to speak again, we're available.

Best,  
DC

**DAVID D. CROSS**  
**CHAIR OF ANTITRUST LITIGATION PRACTICE**  
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**From:** Cross, David D.

**Sent:** Friday, July 15, 2022 8:52 AM

**To:** 'Josh Belinfante' <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>

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**Subject:** RE: Curling v. Raffensperger - 30(b)(6) topic

Josh –

Per our discussion, Curling Plaintiffs have identified a subset of Plaintiffs' document requests that we'd like the new SEB members to at least focus on for producing documents. We continue to believe they're obligated to produce documents responsive to each of our requests as parties to the case, but in the interest of moving this forward, we're identifying below the requests that we believe are especially important (along with those in the prior letter Vincent said you all have already provided to your clients, to the extent those include additional requests beyond the ones below). Please let us know when we can expect complete productions from the new SEB members and when they're available for deposition.

1. All documents related to any actual, potential, anticipated, suspected, contemplated, or alleged Security Breach or Security Vulnerability, including but not limited to (i) all documents relating to any investigation, report, examination, study, audit, evaluation, or assessment conducted by You or a third party on Your behalf or at your direction regarding any such Security Breach or Security Vulnerability; and (ii) all communications related to any such Security Breach or Security Vulnerability.
  - a. Source: 2019.06.03 Curling Pls 1st RFPs
2. Documents from the Relevant Time Period reflecting all actual, potential, anticipated, suspected, contemplated, or alleged Security Breaches or Security Vulnerabilities including, but not limited, to documents reflecting (i) all investigations, reports, examinations, studies, findings, audits, evaluations, and/or assessments conducted by You or a third party on Your behalf or at Your direction regarding any such Security Breach or Security Vulnerability; and (ii) all actions and/or steps considered, contemplated, discussed, approved, implemented, and/or rejected as potential remediation for any such Security Breach or Security Vulnerability.
  - a. Source: 2020.08.03 Pls 1<sup>st</sup> Joint RFPs
3. All documents constituting, reflecting, or related to any communication with, inquiry from, or investigation by the Department of Homeland Security (DHS), the United States Election Assistance Commission, the FBI, the GBI, or other government branch, agency, department, or committee related to the security, reliability, or accessibility of any aspect of the Election System.
  - a. 2019.06.03 Curling Pls 1st RFPs

4. All documents related to any actual or potential security vulnerabilities or intrusions with respect to Georgia's Election System, including but not limited to any assessment of the security of Georgia's Election System.
  - a. 2020.11.11 Curling Pls 2<sup>nd</sup> RFPs
5. All documents related to any actual or potential concerns regarding the reliability of Georgia's Election System, including but not limited to any assessment of the reliability of Georgia's Election System.
  - a. 2020.11.11 Curling Pls 2<sup>nd</sup> RFPs
6. All documents related to any complaint or concern expressed by any voter regarding Georgia's Election System since October 1, 2019.
  - a. 2020.11.11 Curling Pls 2<sup>nd</sup> RFPs
7. Documents regarding any concerns, complaints, notes, or reports, including of errors, malfunctions, or vulnerabilities during election operations of the equipment and components examined or otherwise included as part of any SOS Ordered Audit.
  - a. 2020.11.20 Pls 5<sup>th</sup> Joint RFPs
8. All documents, including any reports, studies, findings, audits, evaluations, and/or assessments of actual or potential security breaches or vulnerabilities associated with the Election System as referenced in Your statement, "We have partnered with the Department of Homeland Security, the Georgia Cyber Center, Georgia Tech security experts, and wide range of other election security experts around the state and country so Georgia voters can be confident that their vote is safe and secure."
  - a. 2020.11.20 Pls 5<sup>th</sup> Joint RFPs
9. All documents, including communications, created or modified during the Relevant Time Period relating to complaints, problems, challenges, difficulties, worries, errors, malfunctions, obstacles, Security Breaches, Security Vulnerabilities, or any other comment concerning the implementation or use of equipment, components, servers, or data which are part of Georgia's Election System.
  - a. 2021.06.18 Curling Pls First RPD to Fulton

Best,  
DC

**DAVID D. CROSS**  
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---

**From:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>

**Sent:** Thursday, July 14, 2022 4:19 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Cc:** Bryan Tyson <[btyson@taylorenglish.com](mailto:btyson@taylorenglish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [ram@lawram.com](mailto:ram@lawram.com); Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>; Diane LaRoss <[dlaross@taylorenglish.com](mailto:dlaross@taylorenglish.com)>; Loree Anne Paradise <[lparadise@taylorenglish.com](mailto:lparadise@taylorenglish.com)>; Bryan Jacoutot <[bjacoutot@taylorenglish.com](mailto:bjacoutot@taylorenglish.com)>; Carey Miller



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[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov); [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov); Javier Pico-Prats  
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**Subject:** RE: Curling v. Raffensperger - 30(b)(6) topic

**External Email**

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We will do so, and thanks.

JB

## ROBBINS

Josh Belinfante

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---

**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Sent:** Thursday, July 14, 2022 4:18 PM

**To:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>

**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [ram@lawram.com](mailto:ram@lawram.com); Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>;  
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**Subject:** RE: Curling v. Raffensperger - 30(b)(6) topic



Thanks, Josh. We'll review and be in touch soon. Can you also please let us know the state's availability for this deposition for the first two weeks of August and whom you anticipate putting up for it?

Appreciate you getting back to us on the topic.

Best,  
DC

---

**From:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>  
**Date:** Thursday, Jul 14, 2022, 4:10 PM  
**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>  
**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [ram@lawram.com](mailto:ram@lawram.com) <[ram@lawram.com](mailto:ram@lawram.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, [kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov) <[kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov)>, [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov) <[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov)>, [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov) <[Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[Rahuja@taylorenghish.com](mailto:Rahuja@taylorenghish.com)>, Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>  
**Subject:** Curling v. Raffensperger - 30(b)(6) topic

**External Email**

---

All:

Please see our proposed revision for the 30(b)(6) topic:

Any alleged event(s) known to the Secretary of State and alleged to have occurred since January 1, 2020 in which one or more individuals not authorized by Georgia state law obtained access to one or more components of Georgia's Current Election System in Coffee County or elsewhere in Georgia. For purposes of this topic, "component of Georgia's Current Election System" shall mean the Image Cast X Prime BMD, ImageCast Precinct (ICP) and ImageCast Central (ICC) Scanning Devices, the Democracy Suite Election Management System and related software, and firmware utilized by the foregoing component parts including printers, servers, and computers utilized for tabulating election results. See [Doc. 628 at ¶ 67], [Doc. 627 ¶ 71]. including but not limited to an EMS server; Dominion or KnowInk software, firmware, or hardware; an ENR server or computer; a computer or removable media used with Georgia's Current Election System; BMD touchscreen machines, ballot scanners, PollPads, or electronic election records or voted ballots produced by the Current Election System.

Thanks,  
JB

## ROBBINS

Josh Belinfante

**ROBBINS ALLOY BELINFANTE LITTLEFIELD LLC**

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**Please visit our affiliated government relations practice: Robbins Government Relations**

[www.robbsinsgr.com](http://www.robbsinsgr.com)

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---

**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Sent:** Wednesday, July 13, 2022 5:40 PM

**To:** Josh Belinfante <[Josh.Belinfante@robbsinsfirm.com](mailto:Josh.Belinfante@robbsinsfirm.com)>

**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Vincent Russo <[vrusso@robbsinsfirm.com](mailto:vrusso@robbsinsfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [ram@lawram.com](mailto:ram@lawram.com); Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Carey Miller <[carey.miller@robbsinsfirm.com](mailto:carey.miller@robbsinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbsinsfirm.com](mailto:Alexander.Denton@robbsinsfirm.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov); [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov); [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov); Javier Pico-Prats <[javier.picoprats@robbsinsfirm.com](mailto:javier.picoprats@robbsinsfirm.com)>; Rashmi Ahuja <[Rahuja@taylorenghish.com](mailto:Rahuja@taylorenghish.com)>; Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>

**Subject:** RE: Curling v. Raffensperger - Discovery letter

All -

At the request of counsel for Coffee County, who also now represents Mr. Barnes, tomorrow's deposition is being rescheduled. We're awaiting Mr. Barnes' availability.

Best,  
DC

---

**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Date:** Tuesday, Jul 12, 2022, 8:41 PM

**To:** Josh Belinfante <[Josh.Belinfante@robbsinsfirm.com](mailto:Josh.Belinfante@robbsinsfirm.com)>

---

**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [ram@lawram.com](mailto:ram@lawram.com) <[ram@lawram.com](mailto:ram@lawram.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, [kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov) <[kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov)>, [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov) <[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov)>, [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov) <[Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[Rahuja@taylorenghish.com](mailto:Rahuja@taylorenghish.com)>, Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>

**Subject:** RE: Curling v. Raffensperger - Discovery letter

All -

For the Barnes deposition on Thursday, we've agreed to do it remotely via Zoom to avoid travel burdens and expense for Mr. Barnes and the parties. Please look for forthcoming links for remote access per prior practice.

Best,  
DC

---

**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>  
**Date:** Friday, Jul 08, 2022, 9:13 AM  
**To:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>  
**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [ram@lawram.com](mailto:ram@lawram.com) <[ram@lawram.com](mailto:ram@lawram.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, [kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov) <[kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov)>, [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov) <[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov)>, [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov) <[Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[Rahuja@taylorenghish.com](mailto:Rahuja@taylorenghish.com)>, Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>

**Subject:** RE: Curling v. Raffensperger - Discovery letter

For our 10am discussion

Join Zoom Meeting

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Passcode: [72971311](#)

One tap mobile

+12133388477,,94191176324# US (Los Angeles) 16699006833,,94191176324# US  
+(San Jose)

---

**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Date:** Thursday, Jul 07, 2022, 5:40 PM

**To:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>

**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [ram@lawram.com](mailto:ram@lawram.com) <[ram@lawram.com](mailto:ram@lawram.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, [kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov) <[kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov)>, [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov) <[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov)>, [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov) <[Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[Rahuja@taylorenghish.com](mailto:Rahuja@taylorenghish.com)>, Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>

**Subject:** RE: Curling v. Raffensperger - Discovery letter

That works for us.

We're proceeding with all the subpoenaed depositions. The first is July 14 in Valdosta GA, I believe, for Mr. Barnes. It was noticed for July 13 but was just moved to July 14 this afternoon. A formal notice is coming today on that.

---

**From:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>

**Date:** Thursday, Jul 07, 2022, 5:16 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [ram@lawram.com](mailto:ram@lawram.com) <[ram@lawram.com](mailto:ram@lawram.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, [kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov) <[kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov)>, [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov) <[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov)>, [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov) <[Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[Rahuja@taylorenghish.com](mailto:Rahuja@taylorenghish.com)>, Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>

**Subject:** Re: Curling v. Raffensperger - Discovery letter

We're free at 10a.

Also, do y'all plan to proceed with the third party depositions the week after next?

Thanks  
JB

Sent from my iPhone

On Jul 7, 2022, at 4:56 PM, Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)> wrote:

Josh -

Your email makes clear that exchanging correspondence on this is not going to be productive. You don't respond to the specific issues (eg, are you going to produce a privilege log and if so when; are the new SEB members going to produce documents and if so when; do you have proposed edits to the Rule 30b6 topic we already provided regarding unauthorized access to Georgia's voting system and if so what are they; etc.) And your characterization of the facts, including our clients' testimony, is not accurate.

We accept your suggestion that our respective teams speak. Please let us know when you're available to talk tomorrow.

Best,  
DC

---

**From:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>  
**Date:** Thursday, Jul 07, 2022, 4:46 PM  
**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>  
**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [ram@lawram.com](mailto:ram@lawram.com) <[ram@lawram.com](mailto:ram@lawram.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, [kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov) <[kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov)>, [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov) <[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov)>, [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov) <[Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[Rahuja@taylorenghish.com](mailto:Rahuja@taylorenghish.com)>, Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>  
**Subject:** RE: Curling v. Raffensperger - Discovery letter

**External Email**

David:

Thanks again for your email and your understanding of our multiple trial and post-trial obligations during the past weeks. I've tried to answer each of your questions, and if I have missed any, please let me know.

1. Privilege log: If you have authority for the idea that not producing a privilege log by the time of your choosing—particularly given the outstanding objections that remain—please let us know. Otherwise, there is no waiver.
2. The 30(b)(6) Deposition(s): I don't know how we can provide you with 30(b)(6) topics. In addition to the comments below about not knowing what you're really after, the process is that you make your request, we object, and we try to figure out how to narrow them. This is complicated by the role of county governments in Georgia elections, and as you know, there are a whole lot more than Fulton County. Ultimately, it is neither our burden nor our capability to get into the Plaintiffs' collective heads and decide what is material, particularly for individuals who are new to the SEB. Further, the requests veer so far from the underlying complaint(s) (in whatever version they are), that it is basically impossible for us to decide what can be linked back to the original pleading about the BMD machines and not some vague allegations about a single county in Georgia, a clandestine recording, and witnesses who are now pleading the Fifth Amendment. I'm truly not trying to be flip, but hopefully you can appreciate our inability to discern what remains a legal issue in this lawsuit. Perhaps if you can tell us, informally and without legalese, what it is you're seeking, we can try to come up with a compromise that is manageable.
3. Document Requests: With regards to the document requests, there are pending objections to them. Should you choose to narrow the requests, we will continue with our appropriate search. However, we note as to all of the Coffee County related discovery Plaintiffs are now apparently seeking, we maintain those requests are not timely as you (or at least the Coalition Plaintiffs) have possessed the recording from which this discovery emanated for more than a year now and during the discovery period but chose not to seek this discovery then.

More importantly, and I think this goes to the heart of moving this case to the very much belated finish line, I am genuinely curious if Plaintiffs see an end to discovery. After five years of litigation, near double-digit preliminary injunction motions, the tremendous use of public resources, the continued request that the State disprove a negative for Plaintiffs who testified under oath that nothing will satisfy them, when is it enough? It seems to me that the Plaintiffs' intent is to move from one issue to the next without any consistency in the pleadings or theory of the case. I'm sure you disagree, and I'm more than willing to be wrong. But, I think that the State would view the underlying requests in a different manner if we had some sense of where this is all heading. Otherwise, it seems that it is just one new shiny object after another.

Perhaps it is worth some folks on our collective teams (and perhaps not me or you) having a conversation about the documents you really need versus something else. I think the Court would appreciate that.

Best regards,  
JB

## ROBBINS

Josh Belinfante  
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**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>  
**Sent:** Tuesday, July 5, 2022 4:13 PM  
**To:** Josh Belinfante <[Josh.Belinfante@robbsinsfirm.com](mailto:Josh.Belinfante@robbsinsfirm.com)>  
**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Vincent Russo <[vrusso@robbsinsfirm.com](mailto:vrusso@robbsinsfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [ram@lawram.com](mailto:ram@lawram.com); Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Carey Miller <[carey.miller@robbsinsfirm.com](mailto:carey.miller@robbsinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbsinsfirm.com](mailto:Alexander.Denton@robbsinsfirm.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov); [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov); [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov); Javier Pico-Prats <[javier.picoprats@robbsinsfirm.com](mailto:javier.picoprats@robbsinsfirm.com)>; Rashmi Ahuja <[Rahuja@taylorenghish.com](mailto:Rahuja@taylorenghish.com)>; Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>  
**Subject:** RE: Curling v. Raffensperger - Discovery letter

Josh and Bryan -

We need a response to this please. It's been well over a week now, and you had sufficient time to put in a substantive filing last week in this case.

Regarding the SEB members, we need those documents before we take the depositions which means we'll need to look at dates later this month or early next month at this point. If we don't receive confirmation by noon ET tomorrow that these protections will be completed, including a complete privilege log if they're withholding or redacting any documents as privileged, by COB next Tuesday, we'll need to seek help from the Court.



We see no good faith argument that these individuals, who are parties to the case, are exempt from the obligation to produce the documents that are in their possession, custody, control and responsive to Plaintiffs' requests served in this case.

Regarding the 30b6 topic, we need proposed language from you by noon ET tomorrow or we'll understand we're at impasse.

Regarding the sweeping privilege claim concerning election-security-related investigations, we need confirmation by noon ET tomorrow that we'll receive a complete privilege log by COB next Tuesday or we'll understand we're at impasse. We reserve the right to assert waiver given the failure to timely provide a log in compliance with Rule 26.

Best,  
DC

---

**From:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>  
**Date:** Thursday, Jun 30, 2022, 1:37 AM  
**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>  
**Cc:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [ram@lawram.com](mailto:ram@lawram.com) <[ram@lawram.com](mailto:ram@lawram.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Daniella P. Stucchi <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, [kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov) <[kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov)>, [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov) <[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov)>, [Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov) <[Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[Rahuja@taylorenghish.com](mailto:Rahuja@taylorenghish.com)>, Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>  
**Subject:** Re: Curling v. Raffensperger - Discovery letter

David:

Bryan is in trial, and most of the rest of us have a post-trial brief for the fair fight 6 week trial. We will do our best to get you what we can, when we can.

Thanks, and I hope you and yours have a Happy Independence Day.  
JB

Sent from my iPhone

On Jun 30, 2022, at 1:04 AM, Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)> wrote:

Bryan -

Please extend us the professional courtesy of a response.

Thank you.

DC

---

**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>  
**Date:** Friday, Jun 24, 2022, 3:55 PM  
**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>  
**Cc:** 'Vincent Russo' <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, 'Adam M. Sparks' <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, 'ram@lawram.com' <[ram@lawram.com](mailto:ram@lawram.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>, 'Halsey G. Knapp, Jr.' <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, 'Daniella P. Stucchi' <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, 'Carey Miller' <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, 'Alexander Denton' <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, 'Josh Belinfante' <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, 'cheryl.ringer@fultoncountyga.gov' <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, 'kaye.burwell@fultoncountyga.gov' <[kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov)>, 'david.lowman@fultoncountyga.gov' <[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov)>, 'Jene.Gipson@fultoncountyga.gov' <[Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov)>, 'Javier Pico-Prats' <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>  
**Subject:** RE: Curling v. Raffensperger - Discovery letter

Bryan -

Putting aside for the moment the obvious impropriety of claiming that every single document responsive to these requests regarding the issues in our letter are somehow privileged, you are required under Rule 26 to timely serve a privilege log for all such documents. We have not received that. Please produce it by Monday given the upcoming depositions. Failure to timely provide a log constitutes waiver.

Regarding the Rule 30b6 deposition, candidly, I don't want to repeat what we went through last time when we spent months negotiating topics, your side agreed to them, then (as the Court confirmed) failed to produce witnesses knowledgeable on those topics, and ultimately complained that the topics were too broad despite having agreed to them. Please send us language that you are willing to agree to for a Rule 30b6 deposition regarding unauthorized access to Georgia's election system. And your complaint that the topic is not limited to Coffee County ignores that the Court found your client failed to comply with its obligations under Rule 30b6 on the original topics and authorized additional testimony on topics on which we believe we still need

testimony. The Court did not limit the followup deposition to Coffee County, and we won't agree to that overly narrow scope on the critically-important topic of unauthorized access to Georgia's election system, which your client publicly claims is not feasible. Please send us proposed language by close of business on Monday so we can try to resolve this expeditiously.

Lastly, I don't believe we have received any documents from any of the new defendants in this litigation who are now members of the state election board. As parties to this case, they are obligated to produce documents responsive to each of our requests just as the prior defendants were. We need those in advance of the depositions. Please produce them by close of business on Tuesday. Those should've been produced when they joined the board and became parties to this litigation.

Best,  
DC

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**From:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>  
**Date:** Wednesday, Jun 22, 2022, 1:10 AM  
**To:** Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>  
**Cc:** 'Vincent Russo' <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, 'Adam M. Sparks' <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, 'ram@lawram.com' <[ram@lawram.com](mailto:ram@lawram.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>, 'Halsey G. Knapp, Jr.' <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, 'Daniella P. Stucchi' <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, 'Carey Miller' <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, 'Alexander Denton' <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, 'Josh Belinfante' <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, 'cheryl.ringer@fultoncountyga.gov' <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, 'kaye.burwell@fultoncountyga.gov' <[kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov)>, 'david.lowman@fultoncountyga.gov' <[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov)>, 'Jene.Gipson@fultoncountyga.gov' <[Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov)>, 'Javier Pico-Prats' <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Russ Abney <[rabney@wattsguerra.com](mailto:rabney@wattsguerra.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>  
**Subject:** RE: Curling v. Raffensperger - Discovery letter

**External Email**

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Mary,

Please see the attached response.

Thanks,

Bryan



**Bryan P. Tyson**

**Taylor English Duma LLP** | 1600 Parkwood Circle, Suite 200, Atlanta, GA 30339

P: 678.336.7249 | M: 404.219.3160 | [btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)

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**From:** Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>

**Sent:** Friday, June 17, 2022 8:28 PM

**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>

**Cc:** 'Vincent Russo' <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; 'Adam M. Sparks' <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; 'ram@lawram.com' <[ram@lawram.com](mailto:ram@lawram.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Elson, Hannah R. <[HElson@mofo.com](mailto:HElson@mofo.com)>; 'Halsey G. Knapp, Jr.' <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; 'Daniella P. Stucchi' <[daniella@khlawfirm.com](mailto:daniella@khlawfirm.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; 'Carey Miller' <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; 'Alexander Denton' <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; 'Josh Belinfante' <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; 'cheryl.ringer@fultoncountyga.gov' <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>; 'kaye.burwell@fultoncountyga.gov' <[kaye.burwell@fultoncountyga.gov](mailto:kaye.burwell@fultoncountyga.gov)>; 'david.lowman@fultoncountyga.gov' <[david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov)>; 'Jene.Gipson@fultoncountyga.gov' <[Jene.Gipson@fultoncountyga.gov](mailto:Jene.Gipson@fultoncountyga.gov)>; 'Javier Pico-Prats' <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>

**Subject:** Curling v. Raffensperger - Discovery letter

Counsel,

Please see the attached correspondence.

Thanks,  
Mary

**Mary Kaiser** (she/her)

Partner

[mkaiser@mofo.com](mailto:mkaiser@mofo.com)

T +1 (202) 887-6952

M +1 (202) 938-7068

**MORRISON  
FOERSTER**

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<sup>[1]</sup> For the sake of clarity, “data” includes the following in each instance where the term is used in any request here: “software, firmware, source code, operational data, and election-related data.”